

Juvenile Law Newsletter
Fall 2007

The Juvenile Law Section began the new fiscal year in June and is off to a great start. Current Chair, **Linda Weinerman**, has named the committee heads for this year as follows:

Legislative Liason: Toni Gray

Newsletter: Sue Thibault

Web Site: Cary Ann Lucas

Membership: Anita Icenogle

Programs: Jill-Ellyn Strauss and Sheri Danz

The committee head, along with the Chair, Chair-Elect (Doris Waters) and Secretary (Bonnie Saltzman), make up the Executive Council for the section.

RECENT MEETINGS AND EVENTS

On August 15, 2007, the JLS co-sponsored a reception with the National Association of Counsel for Children at the Keystone Conference Center following the first day of the 30th National Juvenile and Family Law Conference. The social event was attended by many of the conference attendees who enjoyed to opportunity to network with JLS members and eat the great food. Hopefully, most of the attendees from Colorado will become new members of the JLS.

On September 19, 2007, the JLS had a general section meeting and provided a free one hour CLE on Legislative Changes Affecting Children, presented by **Alicia Davis** and **Maureen Leif** of the State Court Administrator's Office. The meeting was very well attended and informative. We even got to meet and greet **David Brett Woods**, one of the two new Denver Juvenile Court Judges. If you were unable to attend, a copy of the power point handout is available on the JLS website at: <http://www.cobar.org/Docs/2007%20Legislative%20Update.ppt>.

SCHEDULE OF FUTURE JLS EVENTS

December 5, 2007 – JLS will meet in Denver at the CBA Office, 1900 Grant Street. **Ethics CLE** presented by **John Gleason** from noon to 1:30 p.m. One hour ethics CLE credit.

February 21, 2008 – JLS will meet in Arapaho County from noon to 1:30 p.m. (topic of CLE and speaker to be announced later)

March 13, 2008 – JLS and the CBA-CLE will co-sponsor a full day juvenile law training (topics to be included to be announced later)

August 8-10, 2008 – JLS plans to work with the Family Law Section to co-sponsor a juvenile law track during the 2008 Annual Family Law Institute in Breckenridge.

Please put these dates on your calendars now and send in your RSVPs when you get the meeting notices from Erica Driver.

OTHER EVENTS OF INTEREST – MANY OF THESE CONFERENCES OFFER SPECIAL DISCOUNTS FOR JUVENILE LAW SECTION MEMBERS – BE SURE TO ASK WHEN REGISTERING FOR AN EVENT

October 16 and 17, 2007 – CDHS will sponsor a free training on **Preserving Connections for Children: Making Effective Visitation Decisions** at the Morgan County Fairgrounds Event Center, 750 Elsworth, Brush CO. For more information contact JOANN KANOST at FAX: 303-866-7177 OR EMAIL: joann.Kanost@state.co.us .

October 17, 2007 – Video Replay of the September 26, 2007 CBA-CLE program on **Family Immigration Fundamentals**. . For more information, call (303) 860-0608 in Denver, or Toll-Free at (888) 860-2531, by Fax at (303) 860-0624, or online at www.cobar.org/cle.

October 18, 2007 - The Denver Juvenile Court will sponsor a free CLE on **The Many Faces of Children**, presented by Regina Huerter, Executive Director, Crime Prevention and Control Commission with the Department of Safety, at the Denver Juvenile Court from noon to 1:30 p.m. Contact Barbara Bosley, Family Court Facilitator at Barbara.bosley@judicial.state.co.us or by phone at (720) 865-8236.

October 19, 2007 – At 4:00 p.m., there will be a **Swearing In Ceremony** for Donna Schmalberger and David Brett Woods, the two recently appointed Judges at the Denver Juvenile Court.

October 20, 2007 – Colorado CASA presents its 12th Annual Training Conference on **Dynamic Intervention: A Holistic Approach to Child Advocacy** from 9:00 a.m. to 4:00 p.m. at the Arvada Center, 6901 Wadsworth Blvd. Contact Colorado CASA@coloradoCASA.org for more information.

October 26, 2007 – The Colorado Family Bar Association presents **Family Law Hot Topics: Adoption and Alienation** from 9:00 a.m. to 4:30 p.m. at the CLECI Large Classroom, 1900 Grant Street, Suite 300, Denver, CO 8020. For information, go to: <http://www.cobar.org/calendar/eventdetail.cfm?EventID=FL102608L>

November 9, 2007 – Foster Care Summit sponsored by CU, NACC, SCAO, Kempe Center and Casey Foundation at CU Law School. The Summit will focus on issues affecting foster youth. For more information, contact Colene Flynn Robinson at (303) 492-0166 or Colene.Robinson@Colorado.EDU.

KUDOS!

We wish to congratulate and welcome the two newly appointed Judges to the Denver Juvenile Court: **Donna Jean Schmalberger** and **David Brett Woods**.

Donna Schmalberger served as an assistant county attorney for Arapahoe County since 1997, and was a sole practitioner and guardian ad litem from 1986 to 1997. She earned her bachelor's degree in English from Lafayette College in 1973 and her law degree from the University of Colorado School of Law in 1982. Donna has been a member of the JLS for many years.

Brett Woods has served as a relief judge in the Aurora Municipal Court since 2006, and as a magistrate in Denver County Court since 2001. Woods also worked for 10 months as a magistrate in the Denver Juvenile Court. He is a former assistant city attorney in Denver, a former associate at Holme, Roberts & Owen, and from 1990-91, he worked as a law clerk in the 10th U.S. Circuit of Appeals. Woods received his bachelor's degree in journalism from the University of Kansas in 1982 and his law degree from the University of Denver College of Law in 1990.

There will be a **Swearing in Ceremony** for the new judges on **October 19, 2007 at 4:00** in the **Denver Juvenile Court**.

COLORADO LAWYER – JUVENILE LAW ARTICLES AND OTHER ARTICLES OF INTEREST

Look for a special issue of the **Colorado Lawyer** featuring all **Juvenile Law articles in October 2007**. Barbara Shaklee and Linda Weinerman are co-editors of the Juvenile Law Column for the Colorado Lawyer.

CASE LAW UPDATE

MARYLAND: In Re: Nicole B. and Max B
FEDERAL LAW/ Indian Childhood Welfare Act (ICWA)

The Court of Special Appeals of Maryland vacated and remanded a circuit court decision finding that it erred in closing the Child in Need of Assistance (CINA)

case which changed the permanency plan from reunification of Nicole B. and Max B. with their parents, to awarding custody and guardianship of the children to their paternal aunt. The appeals court also found that the circuit court failed to properly address the “active efforts” requirements of the Federal Indian Child Welfare Act (ICWA). The appeals court held that the ICWA overrides Maryland statutes and the Federal Adoption and Safe Families Act (ASFA) stating first that the ICWA clearly offers no exception to its requirement of “active efforts” and no provision in the ASFA specifically purports to modify ICWA. Second, the ICWA is a more specific statute than the ASFA and finally, the United States Supreme Court has stated that when interpreting a statute pertaining to Indians, the “statutes are to be construed liberally in favor of the Indians, with ambiguous provisions interpreted to their benefit.”

Cite: No. 1378; 2007 Md. App. Lexis 98 (Md. Ct. App. July 6, 2007)

[Link to Full Opinion](#)

People in the Interest of T.E.H. and S.A.B., ___ P.3d ___, WL 2003091, Colo. App., July 12, 2001 (No. 07CA0192), Cert. Denied Sept., 10, 2007.
Timeliness of termination trial – Jurisdiction – Disposition Hearing

Both Mother and Father appeal from termination of parent-child legal relationship. Parents contend that the trial court erred in failing to conduct the termination hearing within 120 days after the motion to terminate was filed as required by sec.19-3-602(1), C.R.S. 2006. They argue that the statutory time limit is mandatory and that the court failed to make the findings required to support a delay in the termination hearing. The court had granted the People’s motion to hold the termination in abeyance to allow the parents to continue to work towards reunification. The Ct. of App. said that in essence, the parents’ argument was that failure to follow the statutory timeframe deprived the court of subject matter jurisdiction which may be raised at any time, including on appeal. The Ct. of App. found that the basis for the delay was apparent from the record, thus express findings of good cause for the delay and that delay was in the children’s best interests did not require reversal. It further held that the statutory time for conducting a termination hearing is not jurisdictional and parents’ failure to raise the issue in trial court precludes relief on appeal.

Mother also contended that trial court failed to conduct a dispositional hearing after revoking the continued adjudication and entering order of adjudication. The record revealed that the department continued to provide services to facilitate the plan and mother continued to make some effort to engage in services and that orders entered after the adjudication provided that all prior orders remained in full force and effect. The Ct. of App. therefore concluded that the proceeding was conducted in substantial compliance with the statutory requirements for termination and mother’s rights were not prejudiced by trial court’s failure to conduct a dispositional hearing and approve a new treatment plan.

The Ct. of App. also reaffirms its earlier holding in People in the Interest of D.P., ___ P.3d ___ (Colo. App. No. 06CA1808, Mar. 8, 2007) that failure to bring perceived deficiencies in the efforts made to rehabilitate the parent to the trial court's attention prior to the termination hearing constitutes a waiver of the right to raise the issue on appeal. Affirmed.

Upon the Petition of Jane Doe 2, 166 P.3d 293, Colo. App., June 28, 2007 (No. 07CA1095)

Waiver of parental notification – Abortion

Minor appeals the trial court's order denying her petition under sec. 12-37.5-107, C.R.S. 2006, for a waiver of parental notification requirements concerning an abortion. Sec. 12-37.5-107(2)(a) allows a trial court to enter an order dispensing with the parental notification requirements if it either (1) determines that the giving of such notice will not be in the best interest of the minor, or (2) finds, by clear and convincing evidence, that the minor is sufficiently mature to decide whether to have an abortion. The trial court had found, by clear and convincing evidence, that petitioner was not sufficiently mature to decide whether to have an abortion. In making its determination, the court had considered petitioner's unwillingness to communicate with her mother or to consult with other adults, her focus on her own needs, and her failure to discuss the matter with a doctor. The Ct. of App. found that the facts cited by the trial court were generally appropriate considerations in assessing petitioner's maturity. Also, the fact that petitioner exhibited only minimal understanding of the risks of the abortion procedure, and the fact that she was unemployed and being supported by her mother, could have been considered indicators of a lack of maturity.

Although the trial court did not make findings on whether it would not be in the minor's best interest to tell her parent of the abortion, the Ct. of App. found nothing in the record to indicate that the waiver should have been granted on this basis. Petitioner's primary concern was that her mother would disapprove and Ct. of App. affirms that a generalized fear of telling parents does not by itself, establish that notification would not be in the minor's best interests. Petitioner cited no facts indicating that she would face physical or emotional injury, that serious harm to the family structure would occur, that there would be serious effect on the relationship between the parent and child, or that the parent would withdraw emotional and financial support if her mother were informed. The Ct. of App. held that minor's testimony that she was too young to have a child, that the child would not "have a dad" and that she did not have a job was not enough to support a finding that it was in her best interest to dispense with the notice requirement. Affirmed.

People in the Interest of J.C.S. and Concerning C.C., ___ P.3d ___ , WL 2003096, Colo. App. July 12, 2007 (No. 06CA1868)

Service by Publication – Standing to Raise Due Process Challenge – Self-inflicted Injury Limitation

Mother appeals from the denial of her motion to set aside the adjudicatory order and the subsequent judgment terminating the parent-child legal relationship with her child. She contends only that the statute authorizing service by a single publication, Sec. 19-3-503(8)(b), C.R.S. 2006, is unconstitutional on its face and as applied, because it did not provide her with actual notice of her legal rights before the child was adjudicated. Mother had to be served by publication for both the Petition in D&N and the Motion for Termination because she was in and out of jail during the course of the proceedings, was hiding out from law enforcement due to violation of probation, and although having some phone contact with the caseworker was unable to provide a stable physical address. The trial court found that the department had exercised due diligence trying to locate her whereabouts and that mother had deliberately concealed herself from law enforcement and the court. The Ct. of App. concluded that mother lacked standing to challenge the statute's constitutionality because her claimed injury was self-inflicted. In order to have standing, the claimant must (1) have suffered an actual injury (2) to a legally protected interest. Mother's parental rights constituted a legally protected interest. The Ct. of App. felt that applying the self-inflicted injury limitation was particularly appropriate because concealment would be improperly rewarded if a person who hides from the authorities to avoid an outstanding probation violation nevertheless would have standing to raise lack of actual notice in the D&N. Mother lacked standing to raise a due process challenge to the statute allowing service by publication, which was jurisdictional and thus the merits of her due process arguments were not considered. Based upon lack of standing, the Ct. of App. also did not address the trial court's alternative determination that mother had actual notice of the proceedings from her communications with the caseworker before the shelter hearing or the significance of lack of a formal advisement of her legal rights under sec. 19-3-503. Dismissed.

In the Matter of the Petition of N.B. and L.W-E., and Concerning B.S.B.,

___ P.3d ___, WL 2493906, Colo. App., Sept. 6, 2007 (No. 06CA1325)

<http://www.cobar.org/opinions/opinion.cfm?OpinionID=6299&CourtID=1>

Stepparent Adoption—Indian Child—Indian Child Welfare Act of 1978—
Termination of Parental Rights.

In this stepparent adoption proceeding, N.B. (stepmother) appeals the order dismissing her petition to adopt B.S.B. (child), who is an Indian child. The order is affirmed.

On appeal, stepmother contends that (1) the ICWA does not apply to stepparent adoption proceedings; (2) the existing Indian family exception should bar the

ICWA's application in cases where the child has never lived in an Indian home and participated in Indian culture; (3) the ICWA is unconstitutional; and (4) requiring her, as a private petitioner, to make active efforts to prevent the breakup of the Indian family is unreasonable. All of these are issues of federal law that have not previously been considered by Colorado appellate courts or the U.S. Supreme Court. However, the Colorado Court of Appeals adopts the majority view of the opinions issued by other state courts that have considered them.

First, the Court concludes that the ICWA applies in stepparent adoption cases. Second, the Court finds that the ICWA applies even when the child will remain in the custody of one biological parent. Third, the existing Indian family exception was created by a Kansas Supreme Court decision and holds that the ICWA should apply only to the removal of Indian children who were members of an Indian home and participated in Indian culture. The Court sides with those courts that have declined to adopt this exception. Fourth, the Court rejects all of stepmother's arguments challenging the constitutionality of the ICWA. Fifth, the Court holds that stepmother, even as a private petitioner, is required to show that "active efforts" were made to prevent the breakup of the Indian family and stepmother made no such showing. The order is affirmed.

People in the Interest of A.C. III, and Concerning T.C., ___ P.3d ___, 2007 WL 2728765, Colo. App., Sept. 20, 2007 (No. 07CA0617)
<http://www.cobar.org/opinions/opinion.cfm?OpinionID=6323&CourtID=1>

Dependent and Neglected—Time for Filing Summary Judgment—C.R.C.P. 56(c)—CRS §19-3-505(3)—C.R.C.P. 81(a).

Mother appeals the summary judgment adjudicating her son dependent and neglected. The judgment is affirmed.

Mother asserts the court erred by allowing the Morgan County Department of Human Services (Department) to file a motion for summary judgment only twenty-one days before the adjudicatory hearing. C.R.C.P. 56(c) provides that, unless otherwise ordered by the court, any motion for summary judgment shall be filed no later than eighty-five days prior to trial. However, CRS § 19-3-505(3) requires adjudicatory hearings to be held no later than sixty days after service of the petition for children under age 6, such as here. Both rules cannot be complied with.

When there is a conflict between a statute and a rule of civil procedure, C.R.C.P. 81(a) provides the rules "do not govern procedure and practice in any special statutory proceeding insofar as they are inconsistent or in conflict with the procedure and practice provided by the applicable statute." Thus, the summary judgment was properly allowed.

Mother also challenges whether there were undisputed material facts sufficient to uphold summary judgment. The Department's allegations were supported by the treating physician's affidavit. Mother did not offer an affidavit from another doctor and introduced no evidence the court could rely on to find a material issue of triable fact.

People in the Interest of J.O., and Concerning K.M.O., ___ P.3d ___, 2007 WL2728764, Colo. App., Sept. 20, 2007 (No. 07CA0643)
<http://www.cobar.org/opinions/opinion.cfm?OpinionID=6324&CourtID=1>

Termination of Parent-Child Relationship—Indian Child Welfare Act of 1978—Notice Requirements.

Mother appeals from the judgment terminating the parent-child legal relationship between her and her child, asserting that the notice requirements of the Indian Child Welfare Act of 1978 (ICWA) were not met. The judgment is vacated and the case is remanded with directions.

On August 4, 2006, a petition in dependency and neglect was filed. The petition asserted that (1) the child had been left with his daycare providers (special respondents); (2) the child previously was abused by father and suffered torn neck muscles; and (3) mother suffered from ongoing mental health problems and did not follow through with the child's care.

At the temporary custody hearing that day, father claimed to be one-quarter Apache, though not registered with the tribe. Father stipulated to the adjudication granting temporary protective custody of the child to the Jefferson County Division of Children, Youth, and Families and placement with special respondents. Mother was afforded a full evidentiary hearing; however, a default adjudication was entered on August 10, 2006.

An ICWA notice was sent by certified mail to the Bureau of Indian Affairs (BIA) on December 4, 2006. Two days later, the motion to terminate was filed. A return receipt in the record shows the BIA received the notice on January 30, 2007. A letter, not in the record, was received from the BIA indicating insufficient information to identify the minor's tribal affiliation. Notice of the March 9, 2007 termination hearing was sent to the BIA by regular mail on March 2, 2007.

Mother did not attend the termination hearing. Father appeared and confessed the motion to terminate. Based on the record, the court concluded the child was not an Indian child subject to the ICWA. Mother appealed.

The Colorado Court of Appeals finds that father's advisement to the court that he was one-quarter Apache was sufficiently reliable to require further inquiry

regarding father's tribal heritage and notice to Apache tribal authorities regarding the disposition and termination hearing.

On remand, following the giving of proper notice, if the court determines the child is an Indian child, it also must find that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that those efforts have been unsuccessful.

In the Interest of Z.P., J.P., I.P., and E.P., ___ P.3d ___, 2007 WL2128196, Colo. App., July 26, 2007 (No. 06CA2478)
Termination of Parent-Child Relationship – Right to Counsel – Less Drastic Alternatives

Father appeals from a judgment terminating the parent-child relationship between him and his children. Father contends that he did not receive effective assistance of counsel because court-appointed counsel was allowed to withdraw twice during the proceeding, leaving him without counsel at the termination hearing and various other stages of the proceedings. He argued that counsel should not be allowed to withdraw because of a parent's lack of cooperation in preparing the case. Because Father did not allege facts indicating counsel's performance was deficient, the Ct. of App addresses his appeal as a right to counsel claim and concludes that father's right to counsel was not violated. Father was provided notice of the right to counsel at various times during the proceeding. Twice he requested and was appointed counsel who later withdrew because he failed to cooperate. C.R.C.P. 121 Sec. 1-1(2)(b) requires notice and court approval for attorneys to withdraw and the advisements required at termination of the right to counsel were complied with and provided sufficient safeguards to protect a parent's interests. Father did not request counsel for the trial. The court declined father's request to impose stricter standards for withdrawal of counsel in D&N proceedings than those imposed in other civil proceedings. The court was also not persuaded that the trial court had abused its discretion in finding that there were now less drastic alternatives. Affirmed.

In the Interest of C.T.G., a Child, Upon the Petition of P.G. and T.L.W., Not Reported in P.3d, 2007 WL 2266011, Colo. App., August 9, 2007 (No. 05CA0783)
Parenting Time – Non-Parents' Standing – Psychological Parent – Due Process

Father and mother appeal from the trial court's orders denying their request to terminate the parenting time awarded to stepfather for their minor child and the award of attorneys fees to stepfather. Parents contend stepfather lacks standing to assert parenting time rights. Stepfather contends his status as a "psychological parent" conferred standing on him. Ct. of App holds that "psychological parent" concept is not an independent and all inclusive grant of

standing that permits third parties to seek the custody or visitation of another person's child. A nonparent seeking to qualify as a "psychological parent" and establish standing in Colorado on that basis must satisfy those requirements and show that he or she has had the physical care of the child for a period of six months or more and has commenced the action within six months of the termination of such physical care under C.R. S. 14-10-123(1)(c). Ct. of App. concluded that stepfather lacks standing to seek parenting time and that even if he had standing, he would not be entitled to parenting time. Reversed and remanded.

People v. Johnson., ___ P.3d ___, 2007 WL2003098, Colo. App., July 12, 2007 (No. 06CA1782)
Sexual Assault on a Child – "Position of Trust"

The People appeal the trial court's order dismissing ten counts of sexual assault on a child by one in a position of trust, as a pattern of abuse, against defendant. Affirmed.

Defendant was charged by information with one count of sexual assault, causing submission through force; one count of child abuse; ten counts of unlawful sexual contact; and ten counts of sexual assault, ten-year age difference. The People amended the information to add ten additional counts of sexual assault on a child by one in a position of trust as part of a pattern of abuse.

At the preliminary hearing on the additional counts, the police officer testified that in March 2004, defendant was employed as a driving instructor for a private company that conducts drivers' education classes. The victim, then 15 years old, took a five-day driving course. Defendant was the instructor on three of those days. On the last day, victim and defendant exchanged phone numbers and later spoke hundreds of times.

Victim told an investigator that in May 2004, defendant met her at her school and drove her to his apartment, where they engaged in sexual intercourse. She reported that they repeated this at least fifteen times in the next four months.

Following the preliminary hearing, the trial court dismissed the "position of trust" counts because the unlawful acts did not occur while defendant was in a position of trust. The People argue that "position of trust" should include situations where the defendant first gained access to the victim by being in a position of trust and later exploited that relationship to commit the unlawful act.

The Ct. of App. disagreed, finding that the statutory language in C.R.S. 18-3-401(3.5) clear that "position of trust" is limited to situations where the unlawful act occurred during the period of entrustment. In this case, defendant was not entrusted with the victim's care and education after the driving lessons terminated.

*Some background and holdings sections are from Westlaw.

**Some case summaries were taken from *The Colorado Lawyer*.

The Section hosted a **2006 Case Law Update** on January 23, 2007. Materials from that meeting can be found online at:

<http://www.cobar.org/group/display.cfm?GenID=9917&EntityID=JUV>

LEGISLATION UPDATE

The Section hosted a **2007 Legislative Update** on September 19, 2007.

Materials from that meeting can be found online at:

<http://www.cobar.org/Docs/2007%20Legislative%20Update.ppt>

The 2008 Legislative Session will be gearing up in a few months and Toni Gray, JLS Legislative Liason, asks that if you believe that the JLS should take a position on a bill, please contact her at (303) 441-1022 or

tgray@co.boulder.co.us.

COLORADO TASK FORCE ON FOSTER CARE AND PERMANENCE

From last legislative session, the Colorado Task Force on Foster Care and Permanence, created by SB 07-64, has begun its work. The Governor's office is still in need of a biological parent of a child who has been involved in the foster care system. If you know of a good candidate for the appointment – a parent who is no longer in the system – please refer them to the blogspot at <http://sb64committee.blogspot.com> to apply to be on the task force.

The statewide task force meets monthly to consider:

- Actions the state may take for compliance with federal Child and Family Services Review guidelines;
- Methods to better evaluate foster parents and encourage the retention of foster parents;
- Processes to better provide information to foster and adoptive parents regarding a child's behavior;
- Methods to ensure that adoption subsidies are sufficient for the needs of the child;
- Ways to improve the rate of permanency of individuals between the ages of 14 and 24 in the foster care system or in residential placement; and
- Creation of mediation processes to resolve conflicts between foster or adoptive parents and child placement agencies, biological parents or county departments.

Sheri Danz, from the SCAO and a JLS member, is one of only a few attorneys on the task force. The task force meets on the second Tuesday of each month from

9:30-1:30. The first hour of each meeting is open for public comment. The next two meetings will be held on October 9, 2007 and November 13, 2007.

Toni Gray is not a member of the task force, but is serving on the System Subcommittee. (The task force voted to permit participation by non-task force members in the sub-committees). Sue Thibault has volunteered to serve on the Caregivers Subcommittee. There is a real need for attorney participation on the various sub-committees. If you are interested and able to commit some time to serving on a sub-committee, please contact the blogspot above for further information and contact information.

MEMBERSHIP

Anita Icenogle and Doris Waters will be working on a membership drive this fall to get more great members to join the JLS. More members mean better involvement and participation and a more informed section. You can help by spreading the word to other practitioners in the field about what a great resource the JLS is for you.

WINTER NEWSLETTER

The Winter Newsletter will go out by December 21, 2007. The deadline for submitting cases, articles and events is December 14, 2007. Please send any submission requests to me at sthibault@co.clear-creek.co.us, or call me at (303) 679-2432 (phone) or by fax at (303) 679-2444.